

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/729,258 Confirmation No. 1160
Applicant : Dan Bradley O'Bryan
Filed : 12/05/2003
Title : System and Method for Building an Application on a Computing Device
: which Includes an Environment-Controlling Process
Group Art Unit : 2192
Examiner : Andrew Y. Chou
Docket No. : 2675/SPRL111309
Customer No. : 32423

VIA EFS – January 3, 2008

Mail Stop Appeal
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

A Response to the Final Office Action mailed July 3, 2007 was submitted on August 30, 2007 prior to the two-month deadline. To date, no further Action from the Office including an Advisory Action has been mailed. Applicant has been unsuccessful in reaching the Examiner to determine the status of this case. Therefore Applicant submits the following Notice of Appeal form (PTO/SB/31) with the required \$510.00 fee as set forth in 37 C.F.R. 41.20(b)(1). No petition or fee for an extension of time under 37 C.F.R. 1.136(a) is submitted in light of the lack of Advisory Action. The Commissioner is hereby authorized to charge or to credit to Deposit Account No. 21-0765 any amounts as necessary.

Respectfully submitted,

/Steven M. Kirkwood/

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Reg. No. 56,392

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